

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RANDALL GRAY STONEMAN, JR.,	:	
	:	
Petitioner,	:	
	:	
v.	:	1:20-cr-152-1
	:	1:24-cv-814
UNITED STATES OF AMERICA,	:	
	:	
Respondent.	:	

**ORDER**

This matter is before the court for review of the Order and Recommendation ("Recommendation") filed on October 2, 2024, by the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b), (Doc. 128). The Recommendation was served on the parties in this action on October 2, 2024. (Doc. 129.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.<sup>1</sup>

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 128), is **ADOPTED. IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** to Petitioner promptly filing a corrected motion on the proper § 2255 forms.

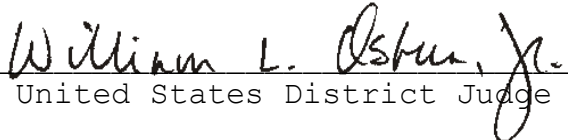
---

<sup>1</sup> Petitioner has filed a new 2255 action that is proceeding on the docket. (See 1:24-cv-972.)

The court further finds there is no substantial showing of the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, therefore a certificate of appealability is not issued.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 22nd day of November, 2024.

  
United States District Judge